

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-cv-00268-FDW-DSC

JAMES C. JACKSON; PATSY N. JACKSON;)
COLNAD, LLC, and THE COLNAD, LLC)
WELFARE BENEFIT PLAN AND TRUST,)
through its Co-Trustees, James Jackson and)
Patsy Jackson,)

Plaintiffs,)

vs.)

ROBERT W. SAYMAN; CAPITAL CHOICE)
ADVISORS, INC.; PACKERLAND)
BROKERAGE SERVICES, INC.; CLARK)
CAPITAL MANAGEMENT GROUP, INC.;)
and MIDLAND LIFE INSURANCE)
COMPANY,)

Defendants.)


ORDER

THIS MATTER is before the Court pursuant to the joint motion of the plaintiffs, James C. Jackson, Patsy N. Jackson, Colnad, LLC, and The Colnad LLC Welfare Benefit Plan and Trust (collectively, the "Plaintiffs"), the defendant, Midland National Life Insurance Company ("Midland"), the defendant, Clark Capital Management Group, Inc. ("Clark Capital"), and the defendant, Packerland Brokerage Services, Inc. ("Packerland"). (Doc. No. 60). For the reasons stated in the joint motion, the motion is GRANTED.

IT IS THEREFORE ORDERED that all cross-claims asserted by Midland, Clark Capital, and Packerland are dismissed *without* prejudice and without the assessment of fees or costs, thereby dismissing Midland and Clark Capital as parties to this action.

IT IS SO ORDERED.

Signed: April 30, 2014


Frank D. Whitney
Chief United States District Judge 